

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

LOVETT AUTO & TRACTOR PARTS, INC., on)
behalf of itself and all others similarly situated,,)

Plaintiff,)

v.)

No. 08-CV-02046

CHAMPION LABORATORIES, INC.;)
PUROLATOR FILTERS N.A. L.L.C.;)
HONEYWELL INTERNATIONAL, INC.; WIX)
FILTRATION PRODUCTS; CUMMINS)
FILTRATION INC.; THE DONALDSON)
COMPANY; BALDWIN FILTERS INC.; BOSCH)
U.S.A.; MANN + HUMMEL U.S.A., INC. and)
ARVINMERITOR, INC.,,)

Judge Robert W. Gettleman

Magistrate Judge Arlander Keys

Defendants.)

**BALDWIN FILTERS, INC. AGREED MOTION FOR ENLARGEMENT OF TIME TO
RESPOND TO PLAINTIFF'S COMPLAINT**

Defendant Baldwin Filters, Inc. ("Baldwin") hereby moves for an enlargement of time until and through June 13, 2008, to answer or otherwise respond to the Complaint filed by plaintiff Lovett Auto & Tractor Parts, Inc. ("Plaintiff"). Plaintiff has agreed to the relief sought in this motion. In support of this agreed-upon motion, Baldwin states as follows:

1. On or about April 10, 2008, Plaintiff filed the complaint in this action, which alleges violations of Section 1 of the Sherman Act, 15 U.S.C. § 1. Plaintiff styles the action as a putative class action.

2. As of the date of this motion, five other plaintiffs have filed a complaint in this District, at least fourteen plaintiffs have filed separate complaints in the United States District

Court for the District of Connecticut, five plaintiffs have filed complaints in the United States District Court for the Southern District of Illinois, one plaintiff has filed a complaint in the United States District Court for the Eastern District of Tennessee, one plaintiff has filed a complaint in the Middle District of Tennessee, and three plaintiffs have filed an action in the United States District Court for the District of New Jersey. Each of these complaints alleges federal or state antitrust actions, or both, as against Baldwin and are styled as putative class actions.

3. On or about April 11, 2008, Plaintiff filed a motion before the Judicial Panel on Multidistrict Litigation ("the MDL Panel") to transfer and consolidate in this District all existing and subsequently filed antitrust actions related to the claims alleged in its complaint. On April 15, 2008, plaintiffs in five of the actions pending in the United States District Court for the District of Connecticut filed a motion before the MDL Panel to transfer and consolidate all existing and subsequently filed actions in the District of Connecticut. On or about May 12, 2008, two plaintiffs with actions pending in the United States District Court for the Southern District of Illinois filed a motion before the MDL Panel to transfer and consolidate all existing and subsequently filed actions in the Southern District of Illinois. On or about May 20, 2008, two plaintiffs filed a motion before the MDL Panel to transfer and consolidate all existing and subsequently filed actions in the District of New Jersey. Those motions are currently pending before the MDL Panel.

4. In light of the multiple complaints on file in various jurisdictions, the several motions pending before the MDL Panel, and the complex nature of Plaintiff's allegations, Baldwin hereby moves, with plaintiff's consent, to enlarge its time to answer or otherwise respond to this complaint for 30 days.

5. Counsel for defendant Champion Laboratories, Inc., conferred with counsel for Plaintiff on or about May 6, 2008, and was advised that Plaintiff consent to the 30-day enlargement.

WHEREFORE, Defendant Baldwin Filters, Inc., respectfully moves for an Order enlarging its time to answer or otherwise respond to Plaintiff's complaint for 30 additional days.

Dated: May 28, 2008

Respectfully submitted,

/s/ PATRICK J. AHERN

Patrick J. Ahern, # 6187380
BAKER & MCKENZIE LLP
One Prudential Plaza, Suite 3500
130 East Randolph Drive
Chicago, IL 60601
(312) 861-8000
patrick.j.ahern@bakernet.com

Darrell Prescott
BAKER & MCKENZIE LLP
1114 Avenue of the Americas
New York, New York 10036
(212) 626-4476
(212) 310-1637
darrell.prescott@bakernet.com

Counsel for Defendant,
Baldwin Filters, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2008, I electronically filed the foregoing **Agreed Motion for Enlargement of Time to Respond to Plaintiff's Complaint** with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent by e-mail to the following by operation of the CM/ECF electronic filing system:

Stewart M. Weltman – sweltman@weltmanlawfirm.com
Timothy B. Hardwicke – timothy.hardwicke@lw.com
Nicholas J. Siciliano – Nicolas.siciliano@lw.com
Sanya Sarich – ssarich@crowell.com
Abby F. Rudzin – arudzin@omm.com
Amy P. Purcell – apurcell@foley.com
Brendan J. Healey – bhealey@mandellmenkes.com

and I hereby certify that I have mailed the document or paper to the following non-CM/ECF participants by First Class United States Mail:

Vineet Bhatia
Susman Godfrey LLP
1000 Louisiana, Suite 5100
Houston, TX 77002-5096

Stephen E. Morrissey
Susman Godfrey LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029

Stuart H. McCluer
McCulley McCluer PLLC
1109 Van Buren Avenue
Oxford, MS 38655

R. Bryant McCulley
McCulley McCluer PLLC
One Independent Drive, Suite 3201
Jacksonville, FL 32202

A. Hoyt Rowell III
Daniel O. Myers
T. Christopher Tuck
James L. Ward, Jr.
Richardson, Patrick, Westbrook &
Brickman, LLC
PO Box 879
Mt. Pleasant, SC 29465

Martin J. Dubowsky
Martin J. Dubowsky, Ltd.
2239 North Orchard Street
Chicago, IL 60614

Respectfully submitted,

BY /s/ PATRICK J. AHERN
Patrick J. Ahern
BAKER & MCKENZIE LLP
One Prudential Plaza, Suite 3500
130 East Randolph Drive

Chicago, IL 60601
(312) 861-3735 (phone)
(312) 861-2899 (fax)
patrick.j.ahern@bakernet.com